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BIRCH, STEWART, KOLASCH & BIRCH, LLP

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Attorney Docket No.
4443-0111PUS1

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT AND DESIGN APPLICATIONS**

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title:

APPARATUS AND METHOD FOR REAL-TIME ADJUSTING SYSTEM PERFORMANCE OF A COMPUTER

Fill in Appropriate
Information -
For Use Without
Specification
Attached:

the specification of which is attached hereto. If not attached hereto, the specification was filed on _____ as
United States Application Number _____; and amended on _____ (if applicable) and/or
the specification was filed on _____ as PCT
International Application Number _____; and was
amended under PCT Article 19 on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Insert Priority
Information:
(if appropriate)

Prior Foreign Application(s)			Priority Claimed	
<u>92108712</u> (Number)	<u>Taiwan, R.O.C.</u> (Country)	<u>April 15, 2003</u> (Month/Day/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>03123320.1</u> (Number)	<u>China, P.R.C.</u> (Country)	<u>April 22, 2003</u> (Month/Day/Year Filed)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below.

Insert Provisional
Application(s):
(if any)

_____ (Application Number)	_____ (Filing Date)
_____ (Application Number)	_____ (Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

Insert Requested
Information:
(if appropriate)

Country	Application Number	Date of Filing (Month/Day/Year)
<u>Taiwan, R.O.C.</u>	<u>92108712</u>	<u>April 15, 2003</u>
<u>China, P.R.C.</u>	<u>03123320.1</u>	<u>April 22, 2003</u>

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Insert Prior U.S.
Application(s):
(if any)

_____ (Application Number)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
_____ (Application Number)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)

Attorney Docket No.

I hereby appoint the following attorneys to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the attorneys identified below, unless the inventor(s) or assignee provides said attorneys with a written notice to the contrary:

Raymond C. Stewart	(Reg. No. 21,066)	Terrell C. Birch	(Reg. No. 19,382)
Joseph A. Kolasch	(Reg. No. 22,463)	James M. Slattery	(Reg. No. 28,380)
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Andrew D. Meikle	(Reg. No. 32,868)	Marc S. Weiner	(Reg. No. 32,181)
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YOU MUST
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Full Name of First
Inventor:
Insert Name of Inventor →
Insert Date This Document
is Signed

Insert Residence
Insert Citizenship

Insert Post Office
Address

GIVEN NAME/FAMILY NAME	FIRST INVENTOR'S SIGNATURE	DATE*
Hsien-Yueh HSU (family name: HSU)	Hsien-Yueh HSU	2003/7/14
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Inventor:
Insert Name of Inventor →
Insert Date This Document
is Signed

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Insert Citizenship

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Address

GIVEN NAME/FAMILY NAME	SECOND INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)	CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)		

Full Name of Third
Inventor:
Insert Name of Inventor →
Insert Date This Document
is Signed

Insert Residence
Insert Citizenship

Insert Post Office
Address

GIVEN NAME/FAMILY NAME	THIRD INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)	CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)		